

CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.

Subchapter P. TEXAS UNIVERSAL SERVICE FUND.

§26.413. Link Up ~~Service Program~~ for Tribal Lands.

- (a) **Scope and purpose.** Through this section, the commission seeks to extend Link Up Service to all qualifying ~~customers~~ residents of Tribal lands as defined in 47 C.F.R. 54.400(e) and define the responsibilities of participating telecommunications carriers and qualified ~~customers~~ residents.
- (b) **Applicability.** This section applies to designated eligible telecommunications carriers (ETCs) as defined by §26.418 of this title (relating to Designation of Common Carriers as Eligible Telecommunications Carriers to Receive Federal Universal Service Funds), ~~and designated eligible telecommunications providers (ETPs) as defined by §26.417 of this title (relating to Designation as Eligible Telecommunications Providers to Receive Texas Universal Service Funds (TUSF)), collectively referred to in this section as participating telecommunications carriers.~~
- (c) **Definitions.**
- (1) **Qualifying low-income customer** – as defined in §26.412(c)(1) of this title (relating to Lifeline Service Program).
 - (2) **Income** – as defined in §26.412(c)(6) of this title.
 - (3) **Eligible resident of Tribal lands** – A “qualifying low-income customer,” as defined in paragraph (1) of this subsection, living on or near a reservation. Pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688), a “reservation” is defined as any federally recognized Indian tribe’s reservation, pueblo, or colony.
 - (4) **Tribal Link Up** – an assistance program for eligible residents of Tribal Lands seeking telecommunications service from a telecommunications carrier that is receiving high-cost support on Tribal Lands
- (d) **Link Up Service Program for Tribal Lands.** This is a program certified by the Federal Communications Commission (FCC), pursuant to 47 C.F.R. §54.~~411~~413, that provides a qualifying low-income customer with the following assistance:
- (1) **Services.**
 - (A) A qualifying low-income customer shall receive a reduction in the participating telecommunications carrier’s customary charge for commencing telecommunications service for a primary single line connection at the customer’s principal place of residence. The reduction shall be ~~half~~ 100 percent of the customary charge or ~~\$30~~\$100, whichever is less.
 - (B) A qualifying low-income customer may receive a deferred schedule for payment of the charges assessed for commencing service, for which the customer does not pay interest. Interest shall be waived for connection charges of up to \$200 that are deferred for a period not to exceed one year. Charges assessed for commencing service include any charges that the carrier customarily assesses to connect subscribers to the network. These charges do not include any permissible security deposit requirements. Deferred payment of these charges will not be subject to late fees or additional service fees.
 - (2) **Qualifying low-income customer choice.** A qualifying low-income customer is eligible for both of the services set forth in paragraph (1)(A) and (B) of this subsection.
 - (3) **Limitation on receipt.** A participating telecommunications carrier’s Link Up Service for Tribal lands shall allow a qualifying low-income customer to receive the benefit of Link Up Service for Tribal lands on subsequent occasions only for a principal place of residence with

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- an address different from the residence address at which the Link Up Service [for Tribal lands](#) was provided previously.
- (e) **Obligations of the customer.** Qualified low-income customers who want Link-up [Up for Tribal lands](#) and do not have telephone service must initiate a request for service from a participating telecommunications carrier providing local service in their area.

~~§26.413 continued~~

- (f) **Obligations of the participating telecommunications carrier.** Participating telecommunications carriers shall provide Linkup Service to all qualifying low-income customers in accordance with this section.
- (1) **Tariff requirement.** Each participating telecommunications carrier shall file a tariff to implement Link Up Service, or revise its existing tariff for compliance with this section and with applicable law.
- (2) **Reporting requirements.** Participating telecommunications carriers shall file ~~the following required~~ information with the administrator of the Federal Lifeline/Link-up Program.
- ~~(A) — the number of qualifying low-income customers served by the participating telecommunications carrier;~~
- ~~(B) — the annual certification for ETCs;~~
- ~~(C) — the amount of revenues the participating telecommunication carrier forgoes in reducing their customary charge for providing telecommunications service; and~~
- ~~(D) — the amount of revenue the participating telecommunications carrier forgoes for providing a deferred schedule for payment of the charges assessed for commencing service for which customer does not pay interest.~~
- (3) **Notice of Linkup Services [for Tribal lands](#).** A participating telecommunications carrier shall publicize the availability of Link-up service [for Tribal lands](#) in a manner reasonably designed to reach those likely to qualify for the service.
- (4) **Confidentiality agreements.** The confidentiality agreement executed by participating telecommunications carriers with HHSC for Lifeline Service also extends to Linkup Service.